

David J. Aveni (SBN 251197)
david.aveni@wilsonelser.com
John R. Danos (SBN 210964)
john.danos@wilsonelser.com
Colin V. Quinlan (SBN 332225)
colin.quinlan@wilsonelser.com
**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**
555 South Flower Street, Suite 2900
Los Angeles, California 90071
Telephone: (213) 443-5100

Attorneys for Defendant Da Yang Seafood Inc.

Michael S. Myers (SBN 305011)
myersm@ballardspahr.com
Christopher M. Wyant (pro hac vice)
wyantc@ballardspahr.com
Jessica M. Rizzo (pro hac vice)
rizzoj@ballardspahr.com
BALLARD SPAHR LLP
2029 Century Park East, Suite 1400
Los Angeles, California 90067
Telephone: (424) 204-4400

Attorneys for Defendant Great Ocean Seafood Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Brand LITTLE, et al.,

Plaintiffs,

vs.

PACIFIC SEAFOOD PROCUREMENT, LLC,
et al.,

Defendants.

Case No. 3:23-cv-01098-AGT

**[PROPOSED] ORDER GRANTING
DEFENDANT DA YANG SEAFOOD
INC.'S AND GREAT OCEAN SEAFOOD
INC.'S MOTION TO DISMISS THIRD
AMENDED COMPLAINT**

Date: December 12, 2025
Time: 10:00 a.m.
Location: 450 Golden Gate Avenue
Courtroom A, 15th Floor
Judge: Hon. Alex G. Tse

[Filed concurrently with Notice of Motion
and Motion; Memorandum of Points and
Authorities]

1 Defendants Da Yang Seafood Inc. (“Da Yang”) and Great Ocean Seafood Inc. (“Great
2 Ocean”) moved this Court for an order dismissing the Third Amended Class Action Complaint
3 (“TAC”) with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

4 Having considered the papers submitted in support of and in opposition to the Motion, and
5 the authorities and arguments presented by the parties through their counsel of record, this Court
6 finds the TAC fails to state a claim against Da Yang or Great Ocean upon which relief may be
7 granted.

8 This Court further finds that Plaintiffs are unable to state any claim on the facts alleged in
9 the TAC such that leave to further amend would be futile.

10 Da Yang and Great Ocean’s Motion to dismiss the TAC with prejudice is therefore
11 **GRANTED.**

12
13 **IT IS SO ORDERED**

14
15
16 Dated: _____

17 Hon. Alex G. Tse
United States Magistrate Judge